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PATENTS, TRADEMARKS, COPYRIGHTS &amp; UNFAIR COMPETITION

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FAX

To: USPTO - ATTN: PAUL SHANOSKI

From: B. Noël Kivlin, Esq.

Fax: 571-273-8300

Pages: 8 (including cover page)

Phone:

Date: September 29, 2006

Re: SN 09/303,464 (5181-93900)

Phone: 512-853-8840

Please see attached Renewed Petition to Withdraw Holding of Abandonment.

Thank you.

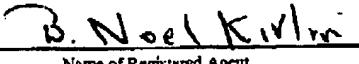
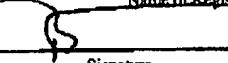
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SEP 29 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: § Group Art Unit: 2194  
 Sistare, et al. § Examiner: Ho, Andy  
 § PTO Attorney: Shanoski, Paul  
 Serial No.: 09/303,464 §  
 § Atty. Dkt. No.: 5181-93900  
 §  
 Filed: April 30, 1999 §  
 §  
 For: SYSTEM AND METHOD FOR §  
 CONTROLLING §  
 CO-SCHEDULING OF §  
 PROCESSES OF PARALLEL §  
 PROGRAMS §

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. (571) 273-8300) on the date indicated below.	
	B. Noel Kirwan <small>Name of Registered Agent</small>  9-29-06 <small>Date</small>

**Renewed Petition Under 37 C.F.R. 1.181:**  
**Petition to Withdraw Holding of Abandonment**

Mail Stop Petition  
 Commissioner for Patents  
**ATTENTION: PAUL SHANOSKI**  
 United States Patent and Trademark Office  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby submits this Renewed Petition under 37 C.F.R. 1.181 for the above identified application in response to the Decision on Petition mailed September 22, 2006. The Decision states: "Petitioner has failed to provide an attestation to the fact that a search of the file jacket and docket records indicates that the Office communication was not received."

Applicant respectfully draws attention to the Statement in Support of Response to Notice of Abandonment that was filed with Applicant's prior Petition that provided this statement. Applicant also specifically states herein that a search by the Applicant's representative of the file jacket and docket records indicates that the Notice of Allowance was not received.

Applicant received a Notice of Abandonment in the above identified application indicating that Applicant failed "to pay the required issue fee within the statutory period of three months from the mailing date of a Notice of Allowance." However, Applicant did not receive a Notice of Allowance. Attached hereto is a true and correct copy of the docket record of the undersigned with regard to the subject application. The undersigned has no record of receipt of a Notice of Allowance with regard to the above-identified application. The undersigned believes that the Notice of Allowance was never received.

Applicant therefore respectfully requests entry of this Renewed Petition Under 37 C.F.R. 1.181 in the application and requests that the Notice of Abandonment be withdrawn. Applicant further requests that a re-dated Notice of Allowance be mailed to the addressee currently of record.

When an office action requiring a response, including a Notice of Allowance, is received from the U.S. Patent Office by our office, the due date for responding to the office action is entered into our computerized docketing system. This information is entered using the Attorney Docket Number identified on the office action. The office action is subsequently routed and physically placed into the corresponding application file.

Applicant's representative has reviewed the file and index sheet of the above-identified patent application and can find no indication that a Notice of Allowance was received.

Applicants' representative encloses a copy of the docket record corresponding to the above referenced application. If the allegedly mailed Notice of Allowance was received, the docket record would indicate a due date for formal drawings and issue fee, the typical response to a Notice of Allowance. The enclosed docket record copy does not show a formal drawings and issue fee due date, thus indicating that the Notice of Allowance was not received from the U.S. Patent Office. Applicants' representative has searched the respective file and can find no

indication of the allegedly mailed Notice of Allowance therein.

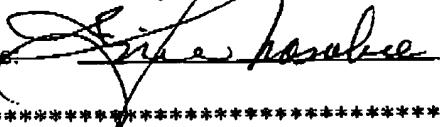
Not knowing of the Notice of Allowance, Applicant did not respond thereto. This statement is signed by Applicants' representative, B. Noël Kivlin, and our firm's docket paralegal, Sonie Nasabee.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made that the knowledge that willful false statements in the like so may are punishable by fine, or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which the verified statement is directed to.

\*\*\*\*\*

Name: **Sonie Nasabee**

Title: **Docketing Paralegal**  
Meyertons, Hood, Kivlin, Kowert, & Goetzl, P.C.  
P. O. Box 398  
Austin, Texas 78767-0398

Signature: 

Date: 9-29-06

\*\*\*\*\*

Name: **B. Noël Kivlin**

Title: **Attorney for Applicants**  
Reg. No. 33,929  
Meyertons, Hood, Kivlin, Kowert & Goetzl, P.C.  
P. O. Box 398  
Austin, Texas 78767-0398

Signature: 

Date: 9-29-06

If any extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel Deposit Account No. 50-1505/5181-93900/EBM.

Respectfully submitted,



B. Noel Kivlin  
Registration No. 33,929

Meyertons, Hood, Kivlin,  
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Date: 9 - 29 - 06

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SEP 29 2006

Country Application		Thursday, August 10, 2006	Page: 1
Case Number:	5181-93900	Country:	US
Client:	SUN MICROSYSTEMS	SubCase:	United States of America
Case Type:	ORD	Application Status:	Pending
Application Number:	09/303464	Filing Date:	30-Apr-1999
Publication Number:		Publication Date:	
Patent Number:		Issue Date:	
Parent/PCT Number:		Parent/PCT Date :	
Parent Issue Number:		Parent Issue Date :	
Tax Schedule:	LE	Expiration Date:	
Confirmation #:		Patent Term Adjustment:	0
Owner:			
Agent:		Agent Reference #:	

App.Title: SYSTEM AND METHOD FOR CONTROLLING CO-SCHEDULING OF  
PROCESSES OF PARALLEL PROGRAM

Tax Start Date: Inventors:  
Family Reference: Nicholas J. Nevin  
Steven J. Sistare

Remarks: Notice of Abandonment rec'd 8/7/06.  
Abstract:

**Country Application**

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**List Of Actions**

Action(s) Due	Due Date	Indicator	Action Taken	Resp.
Filing Receipt	30-Jul-1999	Reminder	14-Sep-2001	
IDS	30-Jul-1999	Due Date	20-Nov-2003	
Client Letter	30-Jan-2000	Due Date	14-Sep-2000	
Foreign Filing Deadline	30-Apr-2000	Due Date	14-Sep-2001	
Expect Action	30-Apr-2001	Due Date	14-Sep-2001	
6 Mon Soft Date	13-Dec-2001	Due Date	14-Sep-2001	
Expect Office Action	30-Apr-2002	Due Date	02-Jul-2002	
Status Letter	30-Apr-2002	Due Date	14-Sep-2001	
Status Letter	30-Apr-2003	Due Date	09-Jun-2003	
Response Due	04-Sep-2003	Due Date	04-Sep-2003	
Response Due	01-Mar-2004	Due Date	04-Feb-2004	
Brief Due	04-Apr-2004	Due Date	15-Mar-2004	
Final Deadline	01-Jun-2004	Due Date	04-Feb-2004	
Response Due	11-Jun-2004	Due Date	10-Jun-1940	
Notice of Appeal	09-Jun-2005	Due Date	02-Jun-2005	
Response Due	09-Jun-2005	Due Date	04-May-2005	
Response Due	09-Jun-2005	Due Date	02-Jun-2005	
Brief Due	02-Aug-2005	Due Date	27-Jul-2005	
Final Deadline	09-Sep-2005	Due Date	04-May-2005	

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Notice of Appeal - Deadline	09-Sep-2005	Due Date	02-Jun-2005
Response Due	18-Jan-2006	Due Date	04-Jun-2006

Created By: sonic

User ID: Celia

Date Created: 26-Jul-2001

Last Update: 07-Aug-2006